

2421.

In re the Estate of

Chen Hui Shan deceased

F.O.

917

Nature of Grant Letters of Administration &

To whom made Rose Hui Shan

Place of Residence } Shanghai

„ „ Death

Occupation _____

Date of Will _____

„ „ Death 10th March 1903.

„ „ Grant 21 June 1921.

Sworn ^{at} under £ 254 - 4 - 10.

86
628

1077

THE REGISTRY,

SUPREME COURT, HONGKONG

4th. August, 1921

Sir,

I beg to give you notice that the undermentioned Grant which issued under the Seal of your Court, was, on the date stated, resealed in the Supreme Court of Hongkong in its Probate jurisdiction.

Name of deceased	Nature and date of Grant	Date of Resealing
CHEN HIM SHAN	L. A. 21.6. 21	4th August, 1921.

Hugh A. Nibet
Registrar

To

The Registrar of Probates,
His Britannic Majesty's Supreme Court for China,

S H A N G H A I



IN HIS BRITANNIC MAJESTY'S SUPREME COURT
FOR CHINA.

PROBATE JURISDICTION.

In the goods of Chen Kim Shan deceased.

The humble petition of Mrs. Chen Kim Shan
of Shanghai, China

Sheweth :

1.—That your petitioner is the widow of the said
late Chen Kim Shan, who died intestate in
Shanghai, China, on the 10th day of
March, 1903.

2.—That the said deceased left her surviving your
petitioner his lawful widow and seven children

3.—That the said Chen Kim Shan left estate and
effects within the jurisdiction of this Court, which are yet unadministered

[That

4.—That your petitioner is above the age of 21 years, and is resident in _____

Shanghai _____, and is desirous to take out letters of administration to

the estate and effects of the said deceased.

Wherefore, your petitioner humbly prays that letters of administration of all and singular the estate and effects, rights and credits in Shanghai and Ichang _____, which were of the said late Chén Kim Shan _____, may be granted to your petitioner on the usual terms and conditions.

And your petitioner will ever pray, etc.

Witness:

L.H. Kentwell

Mrs C. Kim Shan

April 7th

1921

Ad valorem fee £6-2-0

IN HIS BRITANNIC MAJESTY'S SUPREME COURT FOR CHINA

AT SHANGHAI.

BE IT KNOWN, that on the 21st day of June 1921,

Letters of administration of all the property in China
of Chen Him Shan late of Shanghai China deceased who
died at Shanghai aforesaid, on the 10th day of March
1903, intestate were granted by this Court to Rose
Him Shan the lawful widow and relict and one of the
next of kin of the said deceased.

And it is hereby certified that the sum of Dollars
Eighty-eight and cents fifty being the equivalent of
Eight pounds seventeen shillings has been paid to this
Court under H.B.M. Supreme Court Fee Table.

Gross value of Estate \$ 10,000.00

Amount of Deductions \$ 6,060.00

SWORN at £ 254.7.10 and
that the intestate died
on the 10th day of March
1903.

G. Whiting.
Registrar.

Oath for Administrator.

IN HIS BRITANNIC MAJESTY'S SUPREME COURT FOR CHINA
AT SHANGHAI.

In the Estate of

Chen Kim Shan

deceased.

I, *Rose Kim Shan*,
of *Shanghai, China, No. 10 Darroch Road*
make oath and say as follows:—

1. The above-named
late of *Shanghai, China*
deceased, a British subject, died at *Shanghai, China*
on the *10th* day of *March* 1903, intestate.

See footnote.

2. *I am the lawful widow of the
said deceased and one of the next of
kin*

3. I will faithfully administer the property of the intestate, by paying all
just debts, so far as the property shall extend, and distributing the residue of
the property according to law.

4. I will exhibit an inventory and render an account of my administration
whenever lawfully required.

SWORN at Shanghai the *8th*

day of

June 1921.

Before me,

*Archibald
Chief Clerk*

Rose Kim Shan

NOTE.—In paragraph 2 shew title to grant, as "I am the lawful widow of the said
deceased," or "The intestate died a bachelor, leaving surviving him A B
his natural and lawful father and next-of-kin, who is now residing in England; I am the
lawful attorney of the said A B ."

"S"

IN HIS BRITANNIC MAJESTY'S SUPREME COURT FOR
CHINA AND COREA AT SHANGHAI.

June 8th 1921.

In the matter of Chen Kim Shan; deceased.

Here say:—
"Probate is" or
"Letters of Ad-
ministration are" of which Letters of Administration are

to be granted, and of the estimated value of such particulars

PERSONAL PROPERTY.

Gross value at date of death.

Tls. cts. \$ cts.

15 shares. The Kowloon Land & Building Co Ltd £ 25 525.00
Accrued dividends 432.75

\$ 957.75

Turn over & carry forward.

957.75

The following is a list of some of the principal items which should be included in these particulars: Shares or Debentures of any Company having a Transfer Register in Shanghai. Dividends and Interest declared and accrued due to date of application. Cash in House or on Person. Cash at Bank: 1. Current account. 2. Deposit account. 3. Savings Bank. Money on Mortgage, Debts due to deceased. Household Goods. Policies of Insurance. Goodwill of Business, Share of Partnership, Assets, Rents, Interest under Settlements, etc.

	Tls.	cts.	\$	cts.
Brought forward			457	75

Gross Personality

REAL ESTATE.	Tls.	cts.	\$	cts.
<i>At Ichang. 5 Hsien</i>			10,000.	00

Gross Personality

„ Realty

Add \$ at

Gross Estate

Less Debts

Nett Estate for Duty

~~\$ 3040.00~~

Taels

~~Taels~~ ~~10,957.75~~

~~Taels~~ ~~10,000.00~~

~~Taels~~ ~~6960.00~~

Tls.	cts.	\$	cts.
		10,000.	00

~~3997.75~~

~~\$ 3040.00~~

~~£ 254~~

s. 7

d. 10.

@

~~11.95 to the £~~

LIST OF DEBTS DUE TO PERSONS RESIDENT IN CHINA AND COREA.

Name of Applicant

Address

I, Rose Hin Shan
of 10 Sarroch Road, Shanghai, China
make oath and say that I am the person applying to this Court for *Letters of
Administration*

of the above-named *Chen Hin Shan* deceased, that the foregoing particulars are a true account of the particulars and value, as at the date of the deceased's death, of all the property of the deceased in China, and I make this affidavit having regard to the provisions of Articles 6 and 8 of the Foreign Jurisdiction (Probates) Order in Council 1908, which are printed below.

Sworn at Shanghai, the
8th day of June
1921. Before me,

Rose Hin Shan

Administration
chief clerk

THE FOREIGN JURISDICTION (PROBATES) ORDER IN COUNCIL, 1908.

6. The following property shall be deemed to be part of the estate, and shall be included in the affidavit accompanying the application for probate or letters of administration in respect of the estate of every person dying after the commencement of this Order:—

- (a) Any property taken as a *donatio mortis causa* made by the deceased person, or taken under a disposition, made by such deceased person purporting to operate as an immediate gift *inter vivos* whether by way of transfer delivery declaration of trust or otherwise, which shall not have been *bonâ fide* made twelve months before the death of the deceased person, or taken under any gift, whenever made, of which property *bonâ fide* possession and enjoyment shall not have been assumed by the donee immediately upon the gift and thenceforward retained to the entire exclusion of the donor, or of any benefit to him by contract or otherwise.
- (b) Any property which the deceased person having been absolutely entitled thereto has caused to be transferred to or vested in himself and any other person or persons jointly, including therein any purchase or investment effected by such deceased person either by himself alone or in concert or by arrangement with any other person so that the beneficial interest therein or in some part thereof passes or accrues by survivorship on his death to such other person.
- (c) Any property passing under any past or future settlement made by the deceased person by deed or any other instrument not taking effect as a will, whereby an interest in such property or the proceeds of sale thereof for life or any other period determinable by reference to death is reserved either expressly or by implication to the settlor, or whereby the settlor may have reserved to himself the right by the exercise of any power to restore to himself, or to reclaim the absolute interest in such property, or the proceeds of sale thereof, and the term "settlement" in this paragraph shall include any trust, whether expressed in writing or otherwise, and if contained in a deed or other instrument effecting the settlement, whether such deed or other instrument was made for valuable consideration or not as between the settlor and any other person.
- (d) Money received under a policy of assurance effected by the deceased person on his life, where the policy was wholly kept up by him for the benefit of a donee, whether nominee or assignee, or a part of such money in proportion to the premiums paid by him, where the policy was partially kept up by him for such benefit.

8. In arriving at the value of the estate, an allowance shall be made for debts and incumbrances due to persons resident within the limits of the principal Order and for reasonable funeral expenses, but an allowance shall not be made:—

- (a) For debts incurred by the deceased or incumbrances created by a disposition made by the deceased, unless such debts or incumbrances were incurred or created *bonâ fide* for full consideration in money or money's worth wholly for the deceased's own use and benefit and take effect out of his interest; nor
- (b) For any debt in respect whereof there is a right to reimbursement from any other estate or person unless such reimbursement cannot be obtained; nor
- (c) More than once for the same debt or incumbrance charged upon different portions of the estate.

IN HIS BRITANNIC MAJESTY'S SUPREME COURT FOR CHINA
IN SHANGHAI.

KNOW all men by these presents that

we, Brodie A. Clarke, - - - 22 Kiangse Road, Shanghai
William Brandt - - 121 Zechmen Road, Shanghai
and Rose Kim Shan - - 10 Darroch Road

are jointly and severally bound unto the Judge
of His Britannic Majesty's Supreme Court for China, in the sum of One thousand
five hundred & sixty eight
pounds sterling, to be paid to the said Judge or to the Judge
of the said Court for the time being, for which payment we bind ourselves jointly
and severally for the whole, our and each of our heirs, executors, and administrators,
firmly by these presents.

Dated the 8th day of June 1921.

The condition of this obligation is such that if the above named Rose Kim
Shan the intended personal representative of Chen
Kim Shan deceased, do make a true and perfect inventory of all
the property of the said deceased in China which has or shall come to the hands,
possession or knowledge of the said intended representative and the same so made
do exhibit into His Britannic Majesty's Supreme Court at Shanghai, whenever
required by law so to do; and the said property do well and truly administer,
according to law, and further do make a true and just account of such administration
whenever lawfully required; then this obligation shall be void, but otherwise
shall remain in full force.

Signed, sealed, and delivered

in the presence of

Advisory
chief clerk

Bacarde

W. Brandt

Rose Kim Shan



IN HIS BRITANNIC MAJESTY'S SUPREME COURT FOR CHINA
IN SHANGHAI.

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Dated the 8th day of June 1921.

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Shan the intended personal representative of Chen
Hin Shan deceased, do make a true and perfect inventory of all
the property of the said deceased in China which has or shall come to the hands,
possession or knowledge of the said intended representative and the same so made
do exhibit into His Britannic Majesty's Supreme Court at Shanghai, whenever
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chief clerk

Bacarde

W. Brandt

Rose Hin Shan



